



0000071567

BEFORE THE ARIZONA CORPORATION C

MIKE GLEASON
Chairman
WILLIAM A. MUNDELL
Commissioner
JEFF HATCH-MILLER
Commissioner
KRISTIN K. MAYES
Commissioner
GARY PIERCE
Commissioner

Arizona Corporation Commission

DOCKETED

APR 16 2007

DOCKETED BY

ne

STAFF of the Utilities Division,

Complainant,

vs.

RED RIVER NETWORKS, LLC

Respondent.

DOCKET NO. T-04296A-04-0897

DECISION NO. 69411

ORDER

Open Meeting
April 11 and 12, 2007
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. Respondent Red River Networks, LLC ("Red River" or "Company") is a public service corporation as defined by Article XV of the Arizona Constitution and A.R.S. § 40-282.

2. On December 15, 2004, Red River filed with the Commission an application for a CCN to provide competitive resold interexchange telecommunications services within the State of Arizona.

3. On May 5, 2005, in Decision No. 67813, the Commission issued a Certificate of Convenience and Necessity ("CC&N") to Red River conditioned upon timely compliance.

4. The Decision ordered that Red River's certificate be conditioned upon the filing of conforming tariffs within 365 days from the date of an Order granting the certificate or 30 days prior to providing service, whichever comes first.

5. The Decision further ordered that if Red River failed to meet the timeframe for compliance that the CC&N conditionally granted would become null and void without further Order of the Commission.

6. On May 12, 2006, Staff contacted the Company regarding the past due compliance item. The Company did not respond to Staff's call or notice.

7. On July 27, 2006, Staff once again contacted Red River regarding the past due compliance item. The Company again did not respond to Staff's call or notice.

8. In September 2006, Staff contacted Mr. Woody Bannister with the Company who stated they were working on the compliance items. Staff never received the compliance items and has been unable to contact or speak directly with the Company since.

9. Arizona Administrative Code (“A.A.C.”) R14-2-411(D)(4) requires all utilities to submit an annual report on or before the 15th day of April for the preceding calendar year. Red River has failed to submit an annual report for calendar year 2005. The failure to file annual reports for calendar year 2005 constitutes a violation of A.A.C. R14-2-411(D)(4).

10. On April 5, 2006, the Commission's Corporations Division placed the status of the Company 'Not in Good Standing' because of the resignation of the Company's statutory agent.

11. Staff's investigation has found that Red Rivers' assets have been acquired by NOS Communications, Inc. It is unclear as to whether Red River Networks, LLC is currently operational.

CONCLUSIONS OF LAW

1. Red River is an Arizona public service corporation within the meaning of Article XV, Section 2, of the Arizona Constitution.

2. The Commission has jurisdiction over Red River and over the subject matter of the application.

3. The Commission, having reviewed the application concludes that it is in the public interest to rescind Decision No. 67813 and to cancel the Certificate of Convenience and Necessity of Red River Networks, LLC.

...

ORDER

IT IS THEREFORE ORDERED that Decision No. 67813 is hereby rescinded and the Certificate of Convenience and Necessity granted to Red River Networks, LLC is revoked.

IT IS FURTHER ORDERED that this Order shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION


CHAIRMAN

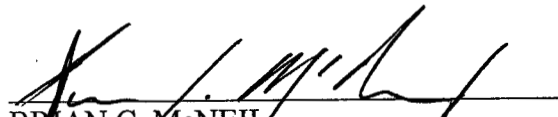

COMMISSIONER


COMMISSIONER


COMMISSIONER


COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. McNEIL, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 16th day of April, 2007.


BRIAN C. McNEIL
Executive Director

DISSENT: _____

DISSENT: _____

EGJ:KDB:lhnm\

1 SERVICE LIST FOR: Red River Networks, LLC
2 DOCKET NO. T-04296A-04-0897

3 Mr. Woody Bannister
4 Red River Networks, LLC
5 Post Office Box 2617
6 Edmond, Oklahoma 73083
7 **Via First Class mail and
8 Certified Mail
9 Return Receipt Requested**

10 Ms. Rowena Hardin
11 NOS Communications, Inc.
12 4380 Boulder Highway
13 Las Vegas, Nevada 89121
14 **Via First Class mail and
15 Certified Mail
16 Return Receipt Requested**

17 Mr. Christopher C. Kempley
18 Chief Counsel, Legal Division
19 Arizona Corporation Commission
20 1200 West Washington
21 Phoenix, Arizona 85007

22 Mr. Ernest G. Johnson
23 Director, Utilities Division
24 Arizona Corporation Commission
25 1200 West Washington
26 Phoenix, Arizona 85007